

SUSSMAN & GOLDMAN

~Attorneys at Law~

1 Railroad Avenue, Suite 3, P.O. Box 1005, Goshen, New York 10924

Michael H. Sussman
Jonathan R. Goldman

(845) 294-3991 [Tel]
(845) 294-1623 [Fax]
info@sussman.law

Of Counsel
Christopher D. Watkins
Mary Jo Whateley

October 13, 2023

Honorable Kenneth M. Karas
United States District Court – SDNY
300 Quarropas Street
White Plains, NY 10601

Re: Alameda, et al. v. ASWB, 23 cv 6156 (KMK)

Dear Judge Karas,

Complying with this Court's Local Rules, counsel for defendant sent me a letter on September 20, 2023, explaining the bases of its proposed motion to dismiss. On September 26, 2023, I filed an Amended Complaint along with a response to counsel's letter explaining why we believe their client has violated and continues to violate, both Title VII and 42 section 1981-a.

On October 10, 2023, counsel sent me a second letter [I understood this letter was to be directed to the Court] outlining the grounds she claims predicate a motion to dismiss the Amended Complaint. I have already addressed her arguments in my initial letter: we believe a party acting as her client has falls within the coverage of Title VII for the reasons therein outlined and that the Amended Complaint adequately pleads an intentional violation of the right to contract by defendant against my clients and the class they seek to represent.

As I understand it, the court shall schedule a pre-motion conference to discuss these issues with counsel and we welcome that opportunity. Thank you for your consideration in these regards.

Yours respectfully,


Michael H. Sussman

cc: All counsel of record by ECF